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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,763	06/20/2001	Jeffrey Darling		3999

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Anthony Wayne Building
203 E. Berry Street
Fort Wayne, IL 46802

EXAMINER

GOINS, DAVETTA WOODS

ART UNIT	PAPER NUMBER
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2632

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DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/885,763

Applicant(s)

DARLING, JEFFREY

Examiner

Davetta W. Goins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-20 is/are allowed.
- 6) ☒ Claim(s) 21-23 and 25-27 is/are rejected.
- 7) ☒ Claim(s) 24 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-20 are allowed.
2. Claim 24 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
3. Claim 22 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 22 recites the limitation "said prompting steps" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 21, 23 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over James et al. (US Pat. 6,369,847 B1) in view of Chen et al. (US Pat. 5,553,609).

In reference to claims 21, 23, 25, James discloses a) the claimed communication system for enabling interactive communication between one or more spaced apart active locations having one or more rooms and a single remote supervision location, which is met by a central office 24 in communication with one or more emergency room facilities 32-34 (col. 5, lines 24-65), b) the claimed at least one video camera, video monitor, audio speaker, audio microphone, light flasher in each room of the active locations, which is met by each emergency room including video and audio communication devices such as a video monitor 52, video camera 62 capable of panning around the room and an illumination device 64 using incandescent or fluorescent lighting elements, (col. 5, lines 24-67; col. 6, lines 1-67), and c) the claimed communication links to the central office each of the video cameras being moveable to scan the room, and a video camera, video monitor, audio speaker, and audio microphone located at the remote supervision location, which is met by communications link circuit 30 via an umbilical cord 42 is used to connect each emergency room facility and emergency center; the emergency facility or central office facility 12 includes a monitor, speaker, video camera and hand-held unit capable of transmitting signals to operate the control unit 19 for controlling one or more video-teleconferencing units of remotely located rooms. The communications links 94, 96, 98 and 104 are designed to form a telemetry enabling video and audio signal transmission to and from the emergency center

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facilities (col. 7, lines 30-67; col. 8, lines 1-63). Although James does not specifically disclose the claimed computing means for recording data, assembling data, displaying data and reporting data in a variety of formats, he does disclose a controller device 26, operated by the medical practitioner 24 at the central office to control various visual and audible communications between the central office and remote emergency room facilities 32-34; the video camera can be moved around as well as the control of the lighting elements (col. 5, lines 24-67; col. 6, lines 1-67). Chen discloses a health care system in which a plurality of video/audio devices are placed in various remote locations in which a health care administrator may monitor the patient from a remote location, the computer for the system will allow the patient to be recorded and multimedia data may be stored, in real-time within the database management portion 42 of computer 40 and/or recorded on VCR 51 (col. 7, lines 17-67; col. 8, lines 1-58). Since James discloses a video monitor and camera connected to an audio system that can be controlled by an operator, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of a system that will record, display, assemble data that has been accumulated from the room facilities, as disclosed by Chen, with the system of James, to ensure that central office can monitor each of the remote locations in real time and/or view recorded information (which can be done by video camera's) such that the remote locations can be reviewed at a later time.

In reference to claims, 26, 27, James does not disclose the claimed smoke, carbon monoxide detectors interconnected to the information exchange means. Chen discloses a system that will allow monitoring of various sensors within the home (col. 17, lines 8-17). Since both James and

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Chen disclose systems that include audio/visual monitoring devices in remote locations that are monitored by a central location, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of comprising detectors interconnected to the system that can be monitored and signals to the remote location, as disclosed by Chen's system that monitors various sensors and actuators within the remote location that can be monitored by the central location, to provide environmental conditions to be monitored and reported immediately to the central location without the need of user input.

8. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure as follows. Ulrich et al. (US Pat. 6,344,794 B1), Kweitko et al. (US Pat. 6,383,077 B1), and Kabala (US Pat. 6,539,393 B1), which disclose remote monitoring systems.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 703-306-2761. The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 703-308-6730. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



D.W.G.

June 21, 2004

Davetta W. Goins
Primary Examiner
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